

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of TARENCE BURTON, Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ALVIN BURTON,

Respondent-Appellant.

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UNPUBLISHED

September 28, 2004

No. 254380

Ingham Circuit Court

Family Division

LC No. 00-048445-NA

Before: Borrello, P.J., and Murray and Fort Hood, JJ.

MEMORANDUM.

Respondent appeals as of right from a circuit court order terminating his parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i), (g) and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in finding that at least one statutory ground for termination had been proved by clear and convincing evidence. *In re IEM*, 233 Mich App 438, 450; 592 NW2d 751 (1999). Respondent, a victim of domestic violence at the hands of his wife, was unwilling to recognize and rectify the situation and the risk of physical and psychological harm it presented to the child. Further, the trial court's finding regarding the child's best interests was not clearly erroneous. *In re Trejo Minors*, 462 Mich 341, 354, 356-357; 612 NW2d 407 (2000); MCL 712A.19b(5). Therefore, the trial court did not clearly err in terminating respondent's parental rights. *Trejo, supra* at 356-357.

Affirmed.

/s/ Stephen L. Borrello

/s/ Christopher M. Murray

/s/ Karen M. Fort Hood